

105TH CONGRESS  
1ST SESSION

# S. RES. 48

Providing for service on a temporary and intermittent basis by the Director of the Office of Senate Fair Employment Practices, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4, 1997

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution;  
which was considered and agreed to

---

## RESOLUTION

Providing for service on a temporary and intermittent basis  
by the Director of the Office of Senate Fair Employment  
Practices, and for other purposes.

1       *Resolved,*

2   **SECTION 1. TEMPORARY AND INTERMITTENT SERVICE.**

3       (a) DEFINITIONS.—In this section:

4           (1) DIRECTOR.—The term “Director” means  
5       the Director of the Office of Senate Fair Employ-  
6       ment Practices.

1           (2) HEARING OFFICER.—The term “hearing of-  
2       ficer” means a hearing officer appointed in accord-  
3       ance with section 307(b) of the Government Em-  
4       ployee Rights Act of 1991 (2 U.S.C. 1207(b)) (as in  
5       effect on January 22, 1995).

6           (3) OFFICE.—The term “Office” means the Of-  
7       fice of Senate Fair Employment Practices.

8       (b) DIRECTOR.—

9           (1) SERVICE.—The acting Director may con-  
10      tinue to serve as the Director only on a temporary  
11      and intermittent basis, in accordance with a contract  
12      entered into with the President pro tempore of the  
13      Senate, on the recommendation of the Majority  
14      Leader and the Minority Leader of the Senate.

15      (2) CONTRACT.—

16           (A) IN GENERAL.—Except as provided in  
17      subparagraph (B), subsection (b) of section 303  
18      of the Government Employee Rights Act of  
19      1991 (2 U.S.C. 1203) (as in effect on January  
20      22, 1995) shall not apply to the service of the  
21      Director.

22           (B) EXCEPTION.—The contract shall in-  
23      clude provisions concerning such service that

1           are consistent with the last sentence of sub-  
2           section (b)(1) of such section 303 of the Gov-  
3           ernment Employee Rights Act of 1991.

4           (c) HEARING OFFICERS.—The President pro tempore  
5 of the Senate may extend, pursuant to an agreement be-  
6 tween the President pro tempore and a hearing officer,  
7 a contract that was entered into by the Director and the  
8 hearing officer prior to the date of adoption of this resolu-  
9 tion. The President pro tempore shall extend any such  
10 contract on behalf of the Office in the same manner and  
11 under the same conditions as a standing committee of the  
12 Senate may procure services on behalf of the committee  
13 under section 202(i) of the Legislative Reorganization Act  
14 of 1946 (2 U.S.C. 72a(i)). The Director shall have no au-  
15 thority under subsection (c) of such section 303 of the  
16 Government Employee Rights Act of 1991.

17          (d) EXPENSES OF THE OFFICE.—

18           (1) APPROVAL.—The Office shall have no au-  
19 thority to approve a voucher under subsection (d) of  
20 such section 303 of the Government Employee  
21 Rights Act of 1991, except for the compensation of  
22 a hearing officer. The Office shall also obtain the  
23 approval of the Committee on Rules and Administra-  
24 tion of the Senate for the voucher for the compensa-  
25 tion of the hearing officer. The Office shall obtain

1 the approval of the President pro tempore of the  
2 Senate and the Committee for any voucher required  
3 under such subsection for the compensation of the  
4 Director or for reimbursement of expenses for a pri-  
5 vate document carrier. The Director shall retain au-  
6 thority to make payments described in paragraphs  
7 (2) through (5) of the third sentence of such sub-  
8 section.

9 (2) LIMITATIONS.—Payments described in  
10 paragraph (1) shall be made from amounts made  
11 available under subsection (e). The Office shall use  
12 the amounts to carry out the responsibilities of the  
13 Office in accordance with section 506 of the Con-  
14 gressional Accountability Act of 1995 (2 U.S.C.  
15 1435).

16 (e) FUNDING.—The Secretary of the Senate may  
17 make available amounts, not to exceed a total of \$5,000,  
18 from the resolution and reorganization reserve of the mis-  
19 cellaneous items appropriations account, within the con-  
20 tingent fund of the Senate, for use by the Office through  
21 September 30, 1997.

22 (f) EFFECTIVE DATE.—This resolution takes effect  
23 on January 31, 1997.

- 1       (g) TERMINATION.—This authority under this resolu-
- 2   tion terminates at the end of September 30, 1997.

